

# 84-114-A 3 PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A01.3B.3 to permit a side setback of 24 feet in lieu of the required 35 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

We desire to put an addition on our residence which would encroach on the 35 foot side setback. To deny the use of this portion of the property for an addition places a practical difficulty on us for the full enjoyment of our residence

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City and State

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State

Stockdale, Jarrell & Cwach  
(Type or Print Name)  
Signature  
Address  
City and State

6717 Harford Road  
Address  
Baltimore, Maryland 21234  
City and State

Attorney's Telephone No.: 254-6877

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of August, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of November, 1983, at 10:15 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
E/S Mt. Vista Rd., 1.571' NW of : OF BALTIMORE COUNTY  
Stoney Batter Rd., 11th District

FRANZ BRANDL, et ux, Petitioners : Case No. 84-114-A

## ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. I request that you notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Petar Max Zinmerman  
Deputy People's Counsel

John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2193

I HEREBY CERTIFY that on this 10th day of October, 1983, a copy of the foregoing Order was mailed to Linwood O. Jarrell, Jr., Esquire, Stockdale, Jarrell & Cwach, 6717 Harford Road, Baltimore, MD 21234, Attorney for Petitioners.

John W. Hession, III

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



### PETITION AND SITE PLAN

### EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE October 20, 1983

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Chairman  
Nicholas B. Cornodari

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Linwood O. Jarrell, Jr., Esquire  
6717 Harford Road  
Baltimore, Maryland 21234

RE: Item No. 53 - Case No. 84-114-A  
Petitioner - Franz Brandl, et ux  
Variance Petition

Dear Mr. Jarrell:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Cornodari, bsc  
NICHOLAS B. CORNODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

September 30, 1983

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RE: Item #53 (1983-1984)  
Property Owner: Franz & Heidi C. Brandl  
E/S Mt. Vista Rd. 1671' N/W Stoney Batter Rd.  
Acres: 154/85 X 252/181.7  
District: 11th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

#### Highways:

Mt. Vista Road, an existing public road, is proposed to be further improved in the future on a 70-foot right-of-way.

#### Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

#### Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

#### Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities. This property is beyond the Baltimore County Metropolitan District and the Comprehensive Metropolitan Facilities Planning Area. The Baltimore County Water Supply and Sewerage Plans W and S-17B, as amended through January 1982, indicate "No Planned Service" in the area.

Very truly yours,  
Robert A. Merton, P.E., Chief  
Bureau of Public Services

RAM:ZAM:RWR:ss

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

September 8, 1983

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 53-54 -ZAC- August 23, 1983  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 53 and 54.

Michael S. Flanigan  
Traffic Engineering Assoc. II

MSF/ccm

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3900

TED ZALEWSKI, JR.  
DIRECTOR

September 21, 1983

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 53 Zoning Advisory Committee Meeting

Property Owners: Franz & Heidi C. Brandl  
Location: E/S Mt. Vista Road 1671' N/W Stoney Batter Road  
Existing Zoning: R/C, 2  
Proposed Zoning: Variance to permit a side yard setback of 24' in lieu of the required 35'.  
Acres: 164/85 x 252/181.7  
District: 11th

The items checked below are applicable:  
X A. All structure shall conform to the Baltimore County Building Code 1981/  
Council Bill 1-82 which shall be in effect on the date of construction and other applicable codes.

X B. A building and other structure permits shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6' of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line. See Table 101, Item 2, Section 107 and Table 102.

F. Requested variance conflicts with the Baltimore County Building Code, Section 101.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed, comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

I. Comments:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,  
Charles E. Rumbaugh, Chief  
Plans Review

CEB:rrj  
FORM 01-82

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: August 22, 1983

Z.A.C. Meeting of: August 23, 1983

RE: Item No: 49, 50, 51, 52, 53 & 54  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

The above mentioned item numbers have no adverse effect on student population.

Very truly yours,

Wm. Nick Petrovich, Assistant  
Department of Planning

WNP/bp



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of November, 1983, that the herein Petition for Variance(s) to permit a side yard setback of 24 feet in lieu of the required 35 feet for the expressed purpose of constructing an addition, in accordance with the site plan filed herein, is GRANTED, from and after the date of this Order, subject, however, to the approval of said plan by the Office of Planning and Zoning.

*Jan M. J. J.*  
Deputy Zoning Commissioner of Baltimore County

# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 27, 1983

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Chairman  
Nicholas B. Commodari

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Linwood O. Jarrell, Jr., Esquire  
6717 Harford Road  
Baltimore, Maryland 21234

RE: Item No. 53 - Case No. 84-114-A  
Petitioner - Franz Brandl, et ux  
Variance Petition

Dear Mr. Jarrell:

Enclosed please find additional comments submitted after my original comments of October 20, 1983.

Very truly yours,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosure

## BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 53, Zoning Advisory Committee Meeting of Aug 23, 1983

Property Owner: Franz + Heidi C. Brandl

Location: E/S Mt. Vista Road District 11th

Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 194-3775, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 53  
Page 2

- ( ) Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- ( ) Soil percolation tests have been conducted.  
{ } The results are valid until  
{ } Revised plans must be submitted prior to approval of the percolation tests.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until  
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- ( ) All roads and parking areas should be surfaced with a dustless, bonding material.
- ( ) No health hazards are anticipated.
- (X) Others This site is served by private water and sewer systems. The proposed addition will not interfere with these existing utilities.

*Jan J. J.*  
Jan J. J., Director  
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon  
Zoning Commissioner Date: October 17, 1983

FROM: Norman E. Gerber, Director  
Office of Planning and Zoning

SUBJECT: Franz Brandl, et ux  
84-114-A

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber  
Director of Planning and Zoning

NEG:JGH:cav

### DESCRIPTION

Beginning on the east side of Mount Vista Road  
1671 feet northwest of Stoney Batter Road and running  
the following courses and distances:

N 24° 00' W 164'  
S 84° 45' E 252.4'  
S 05° 15' W 85'  
S 76° 42' W 181.7'

to the place of beginning.

Also known as 6700 Mount Vista Road.

## PETITION FOR VARIANCE

11th Election District

ZONING: Petition for Variance

LOCATION: East side Mt. Vista Road, 1,671 ft. Northwest of Stoney Batter Road

DATE & TIME: Tuesday, November 1, 1983 at 10:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 24 ft. in lieu of the required 35 ft.

The Zoning Regulation to be, excepted as follows:  
Section 1A01.3B.3 - side yard setback in R. C. 2 zone

All that parcel of land in the Eleventh District of Baltimore County

Being the property of Franz Brandl, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

October 19, 1983

Linwood O. Jarrell, Jr., Esquire  
6717 Harford Road  
Baltimore, Maryland 21234

Re: Petition for Variance  
E/S Mt. Vista Rd., 1,671' NW  
of Stoney Batter Rd.  
Franz Brandl, et ux - Petitioners  
Case No. 84-114-A

Dear Mr. Jarrell:

This is to advise you that \$54.21 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

No. 122915

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 10/25/83 ACCOUNT R-01-615-000

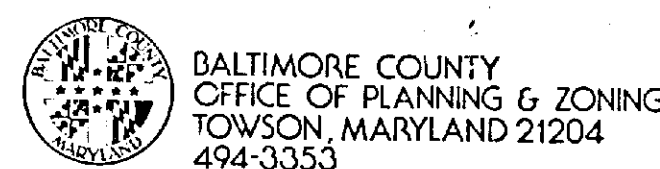
AMOUNT \$54.21

RECEIVED Linwood O. Jarrell, Jr., Esquire  
FROM Advertising & Posting Case #84-114-A  
FOR (Franz Brandl, et ux)

6 013-0000054211b 9252A

VALIDATION OR SIGNATURE OF CASHIER





ARNOLD JARLON  
ZONING COMMISSIONER

November 2, 1983

Linwood O. Jarrell, Esquire  
6717 Harford Road  
Baltimore, Maryland 21234

RE: Petition for Variance  
E/S of Mt. Vista Rd., 1,671' NW of  
Stoney Batter Rd. - 11th  
Election District  
Franz Brandl, et ux - Petitioners  
NO. 84-114-A (Item No. 53)

Dear Mr. Jarrell:

I have this date passed my Order in the above captioned matter in  
accordance with the attached.

Very truly yours,

*Jan M.H. Jung*  
JAN M.H. JUNG  
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire  
People's Counsel

Linwood O. Jarrell, Jr., Esquire  
6717 Harford Road  
Baltimore, Md. 21234

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
23rd day of August, 1983.

*Arnold Jarlon*  
ARNOLD JARLON  
Zoning Commissioner

Petitioner: Franz Brandl, et ux  
Petitioner's Attorney: L. O. Jarrell, Jr., Esq.

Received by: *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 11 Date of Posting: 10/10/83  
Posted for: Petition for Variance  
Petitioner: Franz Brandl, et ux  
Location of property: E/S Mt. Vista Rd., 1,671' NW of  
Stoney Batter Rd.  
Location of Sign: front of property (H.C. 200 Mt. Vista Rd.)

Remarks: \_\_\_\_\_  
Posted by: Jan J. Roman Date of return: 10/14/83  
Signature: \_\_\_\_\_  
Number of Signs: 1

October 4, 1983

Linwood O. Jarrell, Esquire  
Stockdale, Jarrell & Cwack  
6717 Harford Road  
Baltimore, Maryland 21234

**NOTICE OF HEARING**  
Re: Petition for Variance  
E/S Mt. Vista Rd., 1,671' NW of  
Stoney Batter Rd.  
Franz Brandl, et ux - Petitioners  
Case No. 84-114-A

TIME: 10:15 A.M.

DATE: Tuesday, November 1, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 119446  
DATE: 8/10/83 ACCOUNT: 01-615-000  
AMOUNT: \$35.00  
RECEIVED FROM: Heidi Brandl  
FOR: Editing Fee Plan Item # 53  
(cb)  
G 115\*\*\*\*\*35001b s112A

**Petition for Variance**

11TH ELECTION DISTRICT  
ZONING: Petition for Variance  
LOCATION: East side of Mt. Vista Road, 1,671' NW of Stoney Batter Road  
DATE & TIME: Tuesday, November 1, 1983 at 10:15 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit a side yard setback of 24' R. in lieu of the required 35' R.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit a side yard setback of 24' R. in lieu of the required 35' R.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
Zoning Commissioner  
Of Baltimore County

**The Times**

Middle River, Md., Oct 13, 1983

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 13th day of Oct, 1983  
*J. P. Roman* - Publisher

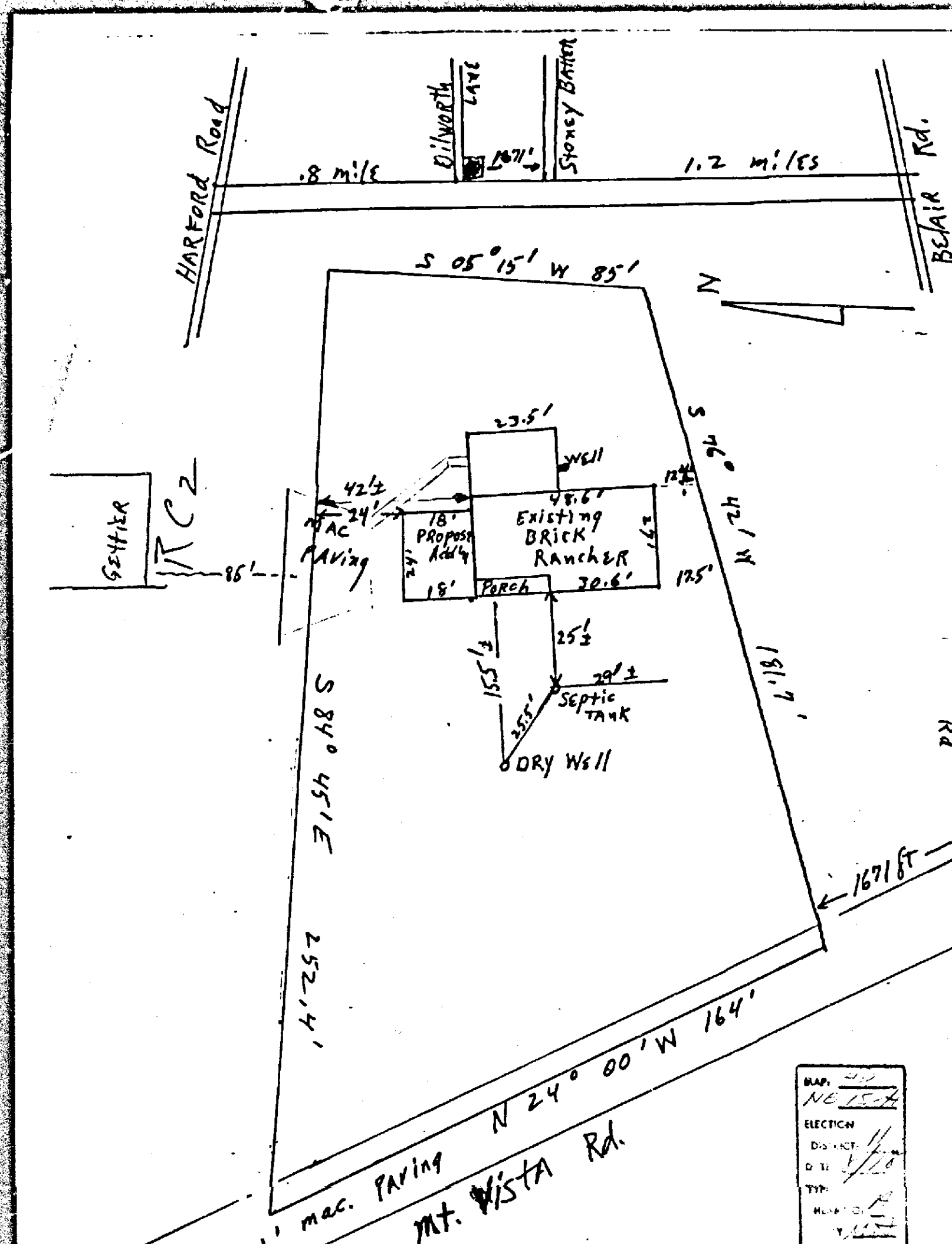
**CERTIFICATE OF PUBLICATION**

TOWSON, MD., October 13, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., October 13, 1983 of one week before the 1st day of November, 1983, the next publication appearing on the 13th day of October, 1983.

THE JEFFERSONIAN  
*S. L. Smith*  
Manager

Cost of Advertisement, \$ 22.75



PLAT FOR ZONING VARIANCE - RC2  
OWNER FRANZ BRANDL and  
Heidi Brandl  
11TH ELECTION DISTRICT  
SCALE 1" = 30'

THOMAS